

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, FEBRUARY 2, 2012, 1:00 P.M.**

CALL TO ORDER

Gary Goodchild, Chairperson, called the meeting to order at 1:00 p.m.

Commission

Members Present:	Gary Goodchild	Bob Peregrine	Pat Haukohl
	Walter Kolb	Fritz Ruf	Bill Mitchell (Left 3:05 p.m.)

Commission

Members Absent: Jim Siepmann

Staff

Members Present: Jason Fruth, Planning and Zoning Manager
Amy Barrows, Senior Land Use Specialist
Peggy Tilley, Senior Land Use Specialist
Elfriede Sprague, Clerk Typist III
Marylee Richmond, Corporation Counsel

Guests Present: Henry Elling, Village of Summit Administrator, NR 115
Brian Depies, Yaggy Colby, NR 115
Russ Evans
Thomas Seidel, Architect, LLC – CU-0390B and PO-11-VNT-09

CORRESPONDENCE: None.

MEETING APPROVAL:

- **Storm Water MS4 Permit Workshop**, presented by Waukesha Co. Dept. of Parks and Land Use, Land Resources Division, Wednesday, March 14, 2012, 7:30 a.m. to 4:00 p.m., Ruekert & Mielke Bldg., W233 N2080 Ridgeview Parkway, Pewaukee, WI

Mrs. Haukohl moved, seconded by Mr. Mitchell and carried unanimously for approval of Mr. Ruf attending the Storm Water MS4 Permit Workshop.

MINUTES Approval of the January 19, 2012, Minutes

Mr. Ruf moved, seconded by Mrs. Haukohl and carried unanimously for approval of the January 19, 2012, Minutes.

PUBLIC COMMENT

Chairman Goodchild asked if anyone from the audience wished to address the Commission?

With no further public comment, Mr. Goodchild moved to the next item on the agenda.

• **CU-0390B (Vernon Congregation of Jehovah's Witnesses – known as the Mukwonago Congregation of Jehovah's Witnesses) Town of Vernon, Section 19**

Mr. Fruth pointed out the location of the property, at S90 W27455 National Ave. in the Town of Vernon on the aerial photograph and stated the request is to remove the existing building and construct a new church building on the same foundation with a small addition and a new entrance sign to the property.

Mr. Fruth stated the lands surrounding the proposed church are largely vacant except for a single family residence immediately adjacent to the church and a gas station/motorcycle repair facility to the northwest. The church dates back to the 1970's and was authorized by a Conditional Use in 1978. The proposal is to remove the church building but retain the parking facilities and long driveway. The seating capacity of the proposed 4,000 sq. ft. building will be reduced, however the new layout will provide for more functional space. There is a small accessory building that is very close to the wetlands that is proposed to be removed. Instead of rebuilding the accessory building the petitioners will include a small addition on the new building to be used as a storage area for lawn equipment. Mr. Fruth explained the main change to the building is that the existing carport on the northeast side of the building will be relocated to the northwest side and the storage addition.

In December of 2011, the Board of Adjustment approved a request for variances from the offset and conservancy setback requirements of the Zoning Code, to allow the construction of the new church facility on the existing foundation with an addition for the storage of lawn equipment. Variances were required because the new church building will be located 22.18 ft. from the south lot line, whereas 40 ft. is the minimum required and 59 ft. from the wetland whereas 75 ft. is the minimum required. Because it is a church there is a double offset requirement in the zoning district, so rather than a 20 ft. setback, they were required to be at 40 ft. In 1992, the Board of Adjustment authorized the reduction down to 20 ft.

Mr. Fruth stated the Staff is offering a positive recommendation to the proposal as it takes advantage of the existing improvements on the site; the parking, driveway and the foundation. It will also result in the removal of a nonconforming shed located in close proximity to the wetland on the site. He continued the existing parking lot and striping are to remain. There are currently 51 spaces on site which complies with the parking requirements of the Zoning Code. The petitioner has supplied a Landscaping Plan; however the Town indicated they would like to see better landscaping on the portion of the church that faces C.T.H. "ES". It is a lengthy wall, with just a few small windows, so the Town has suggested additional plantings to provide screening from the road. Mr. Fruth stated the County has added several conditions. A revised Landscaping Plan and a detailed Lighting Plan need to be submitted, that routine fire and building inspections are required and any required Land Resources permits must be issued.

Mr. Peregrine asked if any flammable materials were to be stored in the storage addition, and if so will it have to be inspected. Mr. Fruth replied the Fire and Building Inspector will have to approve it. Mr. Seidel, the petitioner's architect, replied the area is intended to store the church's lawn mower. The addition will be constructed with a two hour firewall and ceiling. It is not required to have sprinklers; however there will be a fire extinguisher in the room. The requirements will be governed by the local fire chief. Mr. Peregrine suggested the petitioner verify that the addition is allowable as he did not believe it was possible to have that type of storage area attached to a church. He would hate for the petitioner to remove the shed and then find out the addition could not be built. Chairman Goodchild asked Mr. Seidel if he was agreeable to the conditions. He indicated that he was.

After discussion, Mr. Mitchell moved, seconded by Mrs. Haukohl, and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **PO-11-VNT-9 (Vernon Congregation of Jehovah's Witnesses – known as the Mukwonago Congregation of Jehovah's Witnesses) Town of Vernon, Section 19**

Mr. Fruth pointed out the location of the property, at S90 W27455 National Ave. in the Town of Vernon on the aerial photograph and stated the request is associated with CU-0390B.

Mr. Fruth stated that the same conditions apply to the Site Plan approval as for the Conditional Use. The County did add the condition that minor changes to the Site Plan and/or Operation may be authorized by a Site Plan/Plan of Operation review subject to the approval of the Town of Vernon Plan Commission and the Waukesha County Planning and Zoning Division Staff. He added that the petitioner is also proposing to replace the sign on C.T.H. “ES” with a smaller sign.

After discussion, Mr. Peregrine moved, seconded by Mr. Ruf, and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **NR115 (Shoreland Zoning) Update** by Jason Fruth, Planning and Zoning Division Manager and Amy Barrows, Senior Land Use Specialist.

Mr. Fruth explained the Staff started working on the updates to NR115 in late 2010 with a State mandated implementation date of February 2, 2012. After much feedback from the County Planners and public, the implementation date was delayed so some provisions of the law could be more closely examined. To start work on the changes, a group was put together comprising of several County Planning Staff. Marylee Richmond of Corporation Counsel provided legal assistance. He then introduced Amy Barrows, who proceeded to give a detailed presentation of the proposed revisions to NR115 that Staff has been working on. She identified several significant changes; new rules for nonconforming structures, impervious surface limits, mitigation requirements, and general standards, i.e. boathouses, building height, vegetation removal and substandard lots. She presented several informational printouts and entertained questions from the Commission. Mr. Fruth stated there are still many details to be worked out, however, it is anticipated that the updated Shoreland Zoning Code will provide more flexibility with nonconforming structures, fewer variances, an increase in more natural shorelines, better water/habitat quality and improved FAR/open space provisions. The Commission thanked Mrs. Barrows for her excellent presentation.

With no further business to come before the Commission, Mrs. Haukohl moved, seconded by Mr. Peregrine to adjourn at 3:40 p.m.

Respectfully submitted,

Pat Haukohl

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SecretaryPH:es

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